



Wine Consumers Across Michigan

... Because wine consumers
need a voice at the table

HB 4959 (Wine Shipment Ban)
House Regulatory Reform Committee
Testimony of Joel Goldberg, WineCAM
June 28, 2005

- Good morning Chairman Rocca and committee members. My name is Joel Goldberg, and I live near Brighton. My wife and I enjoy a couple of glasses of wine with dinner most evenings, as our beverage of choice -- as do millions of other responsible adults across the country.
- I am also on the steering committee for Wine Consumers Across Michigan, or WineCAM, a grass-roots consumer initiative promoting reasonable wine regulations in Michigan. Our committee is made up of leaders of wine consumer groups and wine-related events from around the state, none of whom has any financial interest in the wine trade. In just a few weeks, and with almost no financing, hundreds of consumers from every corner of Michigan have signed on to support us.
- I am here today to urge you not to precipitously pass **HB 4959**, a bill that would ban all winery deliveries to Michigan residents.
- **HB 4959** would make it illegal for a Michigan winery in Suttons Bay or Berrien Springs to send wine to a Michigan consumer in Lansing or Grand Rapids. This has been legal, without incident, for more than 30 years. In fact, we aren't aware of one instance during those 30 years in which a wine delivery to a consumer by ANY Michigan winery resulted in access to alcohol by a minor. Yet this bill would deny our consumers and our wineries that right.
- This bill is simply an attempt by the well-heeled and free-spending wine distributors to muscle past this House a scheme that would protect and enhance their distribution monopoly. This would take place at the expense of Michigan wine consumers. It would take place at the expense of Michigan wineries. And if this committee was to act on this bill today, it would take place without any meaningful notice, attempt at full debate, or exploration of alternatives on this controversial issue.
- We expect you've noticed that opposition to an outright ban has been growing across the state, including recent editorials in the *Lansing State Journal* and *Detroit Free Press*. We are providing copies of both editorials for your reference. This is NOT the time to railroad through the distributors' ill-conceived "Let's Kill Them All" approach to wine shipping. We hope that you will wisely perceive the need for more serious discussion on this controversial bill before you act.
- We've been told that misinformation has been spread through this legislature by the distributors in a blatant attempt to mislead some of your colleagues about the choices available in light of the recent Supreme Court decision that overturned Michigan's wine shipping law. It would be a disservice to your colleagues and the state if you hastily sent a one-sided, extremist bill such as this to the House floor. You owe your colleagues the opportunity to review full information about all the options available to them on the wine shipping issue.
- In the last two weeks, both Connecticut and New York have responded to this same Supreme Court decision by adopting legislation to permit direct wine deliveries to adult consumers. This means that 29 states have now passed such legislation. But no other state has looked backward by enacting a ban like the bill in front of you today. And you can be assured that the legislators of New York, or Connecticut, or Texas -- who approved these bills -- were every bit as concerned about the welfare of their states' minors and their states' tax revenues as both you and we are about Michigan's.

- Another set of recently introduced House bills, **HB 4987-4990**, would allow wine deliveries to adults under appropriate regulation. These bills deserve your serious consideration before you act on the bill on your agenda today.
- Michigan has not yet received an official order from the US District Court instructing us to develop new wine shipping regulations, and the legislature has cancelled their summer recess. There is no need to rush and pass this ill-advised and controversial ban now.
- With the amount of interest in this issue, and opposition to the one-sided proposal before you today, we hope that Chairman Rocca would instead see fit to assemble a working group of key parties with an interest in this legislation to develop regulations that are fair to consumers, wineries, wholesalers, regulators, and retailers. WineCAM looks forward to participating in meetings of such a work group.
- I would be happy to answer any questions that you might have, or provide any additional information that WineCAM might be able to make available. Thank you very much.